DEN DESCRIPTION FOR FILING

IN RE: PETITION FOR ADMIN. VARIANCE

N/S Fairway Drive, 164' W centerline of Forge Road

9th 11th Election District

4th Councilmanic District

(912 Fairway Drive)

Gale L. & Charles C. Della Santina

Petitioners

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* CASE NO. 02-372-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Administrative Variance filed by the legal owners of the subject property, Gale and Charles Della Santina. The variance request is for property located at 912 Fairway Drive in the Towson area of Baltimore County. The variance request is from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit an existing single-family dwelling with addition to have a side yard setback of 5 ft. and a sum of side yards of 12 ft. in lieu of the required 10 ft. and 25 ft. respectively. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this provided day of April, 2002, that a variance from Section 1B02.3.C.1 of the B.C.Z.R., to permit an existing single-family dwelling with addition to have a side yard setback of 5 ft. and a sum of side yards of 12 ft. in lieu of the required 10 ft. and 25 ft. respectively, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

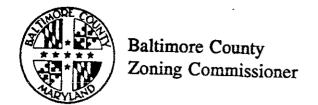
TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj

Control of the Contro



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

April 10, 2002

Mr. & Mrs. Charles C. Della Santina 912 Fairway Drive Towson, Maryland 21286

Re: Petition for Administrative Variance

Case No. 02-372-A

Property: 912 Fairway Drive

Dear Mr. & Mrs. Della Santina:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours, Lusthy 16 troco

Timothy M. Kotroco

Deputy Zoning Commissioner

TMK:raj Enclosure



SMITH HOLD THE STATE STREET

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 912 Fairway Drive Towson MD which is presently zoned DR 3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.0.1800

TO PERMIT AMEXISTING SINGLE FAMILY DWELLING WITH APPITION TO HAVE A SIDE YARD SETBACK OF 5' AND A SUM OF SIDE YARDS OF 12' IN LIEU OF THE REQUIRED 10' AND 25' RESPECTIVELY.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			is the subject of this I	the legal owner(s) of the prediction.	penalties of roperty which
Contract Purchaser/Le	essee:		<u>Legal Owner(s):</u>		
			Charles	. C. Della Sa	antina
Name - Type or Print			Name - Type or Print	le Fantura	· · · · · · · · · · · · · · · · · · ·
Signature			Signature (2016 L. L.	Della Sontin	a
Address	·	Telephone No.	Name Type or Print	Va Cantina	
City	State	Zip Code	Signature		901.00
Attorney For Petitione	<u>r:</u>		Address Fair	rwayDr. 410.2	121.187.
			Towson	mD 9	Telephone No.
Name - Type or Print			City	State	Zip Code
			Representative to	o be Contacted:	
Signature			- SA-v	MF	
Company			Name		
Address		Toleran Ma	Address	2 A	
audiess Ž		Telephone No.	Address	ARNUF	Telephone No.
City	State	Zip Code	City	State	Zip Code

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

competent to testify thereto in the event that a p	oublic hearing is s	cheduled in the	future with rega	ard thereto.
That the Affiant(s) does/do presently reside at	912 F	girway	i Dr.	
	Address	20	MD	21286
·	City OWSC	/ • 1	State	Zip Code
That based upon personal knowledge, the followariance at the above address (indicate hardsh	owing are the fac ip or practical diff	ts upon which I/ ficulty):	we base the re	quest for an Administrative
The existing screened porch attach large amounts of dust and pollen. We wish much-needed bathroom and home office sp design style of other houses on our street. '45 ft from the street, and 20.5 ft from the needlosure to 5 ft from the eastern property has request. Putting an addition elsewhere (e.g removal/replacement of our backyard pation maintain our home's structural integrity. It seek to renovate, to provide access for consto the width of the existing screened porch functionality and home equity value.	to replace it with a pace while maintain. The existing screen earest building. Whine. Our neighbor and cutting of two two days are two	ning harmony with ned porch is 7 ft from the request a variance s on each side and rould be prohibitive adorways through quire removal/rep	the proportions om the eastern educe to allow build across the street rely expensive. It has brick walls the lacement of the street constraining the	and prevailing dge of our property, ling the new t are supportive of It would require are required to screened porch we e designed addition
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a Signature Charles Cohnan Deller Name - Type or Print	ormal demand is additional information of the second of th	Signature Name - Type or Pri	ella (an De 11a	and to pay a reposting and the same and the
STATE OF MARYLAND, COUNTY OF BALTIN	MORE, to wit:	~5/\d`	S	
of Maryland, in and for the County aforesaid, per Maryland (allman 4	rsonally appeared (Sale, De	Ma Can	≾ before me, a ⊀aa	a Notary Public of the State
the Affiant(s) herein, personally known or satisfa	ictorily identified	o me as such Al	fiant(s).	
AS WITNESS my hand and Notarial Seal		Jaient G	Fone	

Notary Public

My Commission Expires

My Commission Expires

REV 10/25/01

fidavit in Support of Administrative Variance

The undersigned hereby affirms under the perfollows: That the information herein given is competent to testify thereto in the event that a p	within the nersonal kn	owledge of the Amant(s) a	ng that Amanu(s) is/aic
That the Affiant(s) does/do presently reside at	912 Fair	rway Dr.	
	Towson	MD	21286
	City	State	Zip Code
That based upon personal knowledge, the follo Variance at the above address (indicate hardshi	wing are the facts upor ip or practical difficulty):	n which I/we base the reque	est for an Administrative
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That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a Signature Change Calenar Dellows Name - Type or Print	Signatura Signatura	Affiant(s) will be required to Affiant(s) will be required to	to pay a reposting and
STATE OF MARYLAND, COUNTY OF BALTIN			
of Maryland, in and for the County aforesaid, per the Affiant(s) herein, personally known or satisfations.	Della San	nona	otary Public of the State
AS WITNESS my hand and Notarial Seal	AGADA.	H Almo	
	Notary Public	M. Oamelein	- Evniroe

My Commission Expires _

My Commission Expires

REV 10/25/01



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 912 Fairway Drive, Towson MD which is presently zoned DR 3.5

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Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

			I/We do solemnly perjury, that I/we a is the subject of th	declare and affirm, under are the legal owner(s) of the is Petition.	the penalties of ne property which
Contract Purchaser	/Lessee:		Legal Owner(_ ^ ~	
			Charle	es C. Della	Santina
Name - Type or Print			Name - Type or Prin	leantura	ی
Signature			Signature Jale L.	Della Sant	ina.
Address		Telephone No.	Name Type or Print		
City	State	Zip Code	Signature		6 00 1 100
Attorney For Petition	ner:		4/2 F	cirwayDr. 410	7 / 8 / 1 / 1 / 1 / 1 / 1 / 1 / 1 / 1 / 2 / 1 / 1
			Towso	n MD	2128G
Name - Type or Print			City	State	Zip Code
Signature			<u>Representativ</u>	e to be Contacted:	
Company			Name SA	ME	
Company			Henre	AS	
Address		Telephone No.	Address	ABOUE	Telephone No
City	State	Zip Code	City	State	Zip Code
A Public Hearing having betthis day of regulations of Baltimore Count	. th	at the subject matter of t	required, it is ordered b his petition be set for a put	y the Zoning Commissioner blic hearing, advertised, as re	of Baltimore County, equired by the zoning
			Zoning Con	nmissioner of Baltimore Cour	nty
CASE NO. <u></u> つて	-372-1	Rev	iewed By $\angle au \sim$	1 Date <u>3/</u>	7/02
REV 10/25/01		Esti	mated Posting Date	3/17/07	
				•	

ZONING DESCRIPTION FOR 912 FAIRWAY DRIVE, TOWSON, MARYLAND

Beginning at a point on the north side of Fairway Drive, which is 30 feet wide at the distance of 164 feet west of the centerline of the nearest improved intersecting street, Forge Drive, which is 30 feet wide. Being Lot#23 in the subdivision of Rodgers Forge Summit as recorded in Baltimore County Plat Book #13, Folio #111, containing 0.29 acres. Also known as 912 Fairway Drive and located in the 11th Election District, 4th Councilmanic District.

DISTRIBUTION
WHITE - CASHIER FROM: TOWA TANTILA DATE_ OFFICE OF BUDGET & FINANCE BALTIMORE COUNTY, MARYLAND MISCELLANEOUS RECEIPT 2/1/02 PINK - AGENCY DONNER O DIFFER AMOUNT \$ ACCOUNT. Rec: 006 6180 50.00 No. 11124 FAVILLIA TOTAZOGO 11:23:27
REJ USOJ CASHIER JRIG JAN DOMER

>> ROLLINI II OKK383

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PROPRINT II OKK383 DENT S 520 ZONING UENT CONTION Builtimure County, Haryland CASHIER'S VALIDATION Mary Int

CERTIFICATE OF POSTING

ADMIN

RE Case No 07-372-A

Petitioner/Developer VELLA SANTINA

Date of Hearing/Closing 4

Baltimore County Department of Permits and Development Management County Office Building, Room 111, 111 West Chesapeake Avenue Towson, MD 21204

20.M. LONING & GEORGE ZAMER

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at # 912 FAIRWAY DR.

The sign(s) were posted on

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE (Address)

HUNT VALLEY, MD. 2103C (City, State, Zip Code)

410-666:5366 ; CELL-410-905-8571

DEPARTMENT F PERMITS AND DEVELOPMENT MANAGEMENT

ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

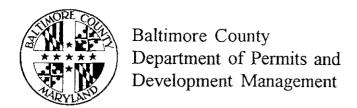
For Newspaper Advertising:
Item Number or Case Number 02 - 372 - A
Petitioner Charles & Gale Della Santina
Address or Location 912 Fairway Dr. Towson MD 2128
PLEASE FORWARD ADVERTISING BILL TO Name Charles & Gale Della Santina Address 912 Fairway Dr Towson MD 21286
Telephone Number 410. 821. 1873

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

POSTING INFO AND

RESPECTIVELY

Case Number 02- 372 -A Address 912 FAIRWAY DRIVE
Contact Person: CIDYD MOXCEY Phone Number: 410-887-3391
Filing Date: 3/7/02 Posting Date: 3/17/02 Closing Date: 4/1/08
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
1. <u>POSTING/COST:</u> The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. <u>DEADLINE:</u> The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
(Detach Along Dotted Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 02-372 -A Address 9/2 FAIRWAY DRIVE
Petitioner's Name DECLA SANTINA Telephone 40 8211873
Posting Date: $3/17/02$ Closing Date: $4/1/02$
Wording for Sign: To Permit AN EXISTING SINGLE FAMILY DWELLING WITH ADDITION TO HAVE A SIDEYAND OF S'AND A SUM OF
BIDEYARDS OF 12' IN CIEU OF THE REQUIRED 10' AND 25'



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

April 1, 2002

Mr. & Mrs. Charles C. Della Santina 912 Fairway Drive Towson MD 21286

Dear Mr. & Mrs. Della Santina:

RE: Case Number: 02-372-A, 912 Fairway Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 07, 2002.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards , Jr.

W. Carl Richards, Jr. () ^C Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: April 17, 2002

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for March 25, 2002

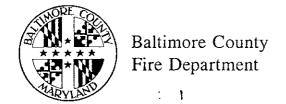
Item Nos 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371 (372, 373,

375, 376 and 377

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:CEN:cab

cc: File



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

March 18, 2002

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: George Zahner

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF March 18, 2002

Item No.: 360-366, 368, 370-377

Dear Ms. Zahner:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Marshal's Office has no comments at this time.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office

PHONE 887-4881, MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley 735 ToT

DATE:

April 16, 2002

Zoning Advisory Committee Meeting of March 18, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

360, 361, 362, 365, 366, 367, 369, 370, 371, 672, 373, 375, 377

Waiting on AG Comments for #364, 368

411 AV

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: April 10, 2002

TO:

Arnold Jablon, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-372, 02-375, 02-385, 02-386, & 02-397

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

fly W. Long

Prepared by:

Section Chief:

AFK/LL:MAC

NDH · D



Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

Date: 3.19.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No. 372

LTM

Dear. Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

J. J. Gredl

h

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division March 6, 2002

Baltimore County Zoning Board Baltimore County Maryland

Ilffel CBn. L J.

ofword. Bruel

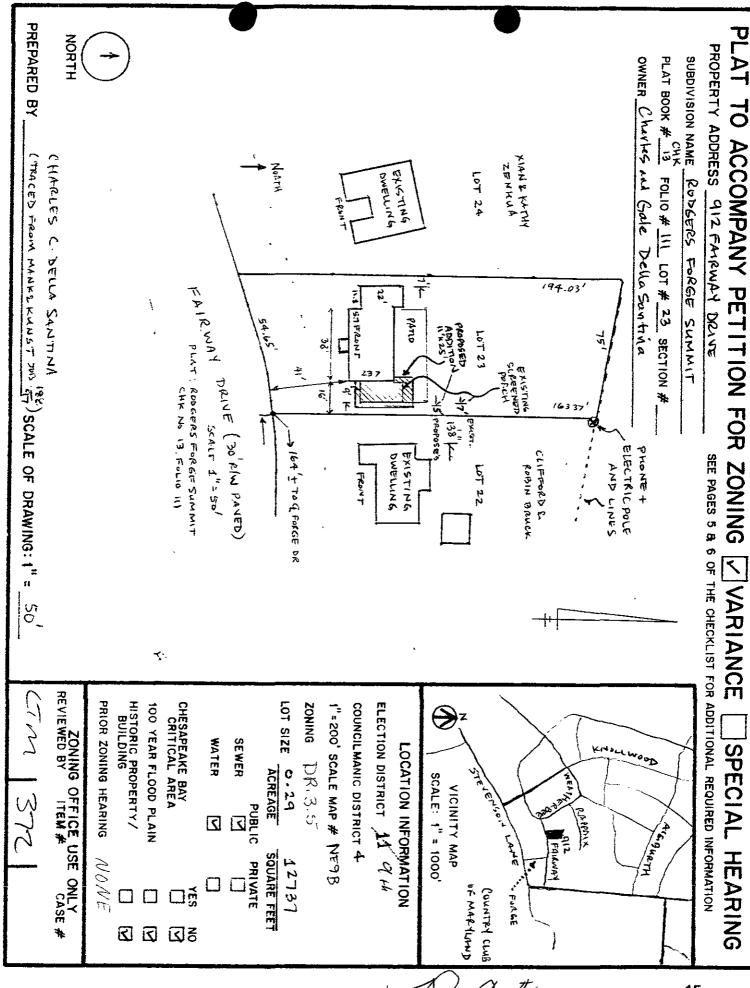
To Whom It May Concern:

We the Brucks, residing at 914 Fairway Drive, Towson Maryland do not oppose the Della Santinas residing at 912 Fairway Drive, Towson Maryland in their desire to enclose and add one story to an existing porch on the east side of their house.

Clifford C. Bruck, Jr.

Røbin A. Bruck

372-A



-15-

